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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,265	01/21/2000	William J Baer	STL000018US1	5626

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EXAMINER

TRUONG, CAM Y T

ART UNIT PAPER NUMBER

2172

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/489,265

Applicant(s)

BAER ET AL.

Examiner

Cam-Y T Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. Claims 1-3 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang et al (or hereinafter "Lang") (USP 5983214).

As to claims 1 and 2, Lang teaches the claimed limitations:

"storing reference information for each content entity identifying any other content entities.....that content entity" as (col. 4, lines 50-65; col. 5, lines 45-65; col. 6, lines 1-5);

"if so, determining if any of the identified otherto the compilation" as (col. 5, lines 55-65). Lang does not teaches the claimed limitation "when adding a content entity to a compilation, referencing the reference information to determine if the content entity is mutually exclusive of other content entities". However, Lang teaches that if record duplication is a concern, then prior to each insertion a search of the CD-ROM and the hard drive data buckets is necessary in order to ensure that duplicate records are not inserted into the tree (col. 4, lines 50-65). This information implies that the record which is not duplicated is inserted into the tree, and the system should compare data in each record to make sure that the record is not duplicated before inserting or

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avoiding insert record into the tree. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to modify Lang's teaching of that if record duplication is a concern, then prior to each insertion a search of the CD-ROM and the hard drive data buckets is necessary in order to ensure that duplicate records are not inserted into the tree in order to eliminate storing duplicated data each intuitions and save memory space.

As to claim 3, Lang teaches the claimed limitations:

"means storing reference information for each content entity.....that content entity" as ((col. 4, lines 50-65; col.5, lines 45-65; col. 6, lines 1-5);

"means for determining if any of the identifiedif any of the other content entities exist in the compilation" as (col. 5, lines 45-65). Lang does not teaches the claimed limitation "means for referencing the reference information when adding a content entity to a compilation,of other content entities". However, Lang teaches that if record duplication is a concern, then prior to each insertion a search of the CD-ROM and the hard drive data buckets is necessary in order to ensure that duplicate records are not inserted into the tree (col. 4, lines 50-65). This information implies that the record, which is not duplicated is inserted into the tree, and the system should compare data in each record to make sure that the record is not duplicated before inserting or avoiding insert record into the tree. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to modify Lang's teaching of that if record duplication is a concern, then prior to each insertion a search

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of the CD-ROM and the hard drive data buckets is necessary in order to ensure that duplicate records are not inserted into the tree in order to eliminate storing duplicated data each intuitions and save memory space.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Lang et al (USP 6314420)

Amram et al (USP 5537586)

Davis et al (USP 6269361)

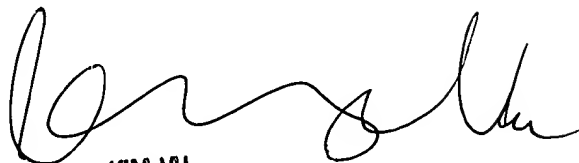
Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on (703-305-4393). The fax phone numbers for the organization where this application or proceeding is assigned is (703-308-9051).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

CY
Cam-Y Truong
3/4/02


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100